IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.407 OF 2003

Kirloskar Investment and Finance Ltd. ...Petitioner.

Vs.

Royal Cushions Vinyl Products Ltd. ...Respondent.

....

None present.

....

CORAM: **DR. D.Y. CHANDRACHUD, J.**

11th April 2007.

P.C. :

This Petition has been placed for directions before the Court. The Company Registrar has informed the Court that the proceedings are not traceable and in all probabilities the parties have lost interest in pursuing the proceedings. None of the advocates appearing on behalf of the contesting parties are present. In these circumstances, it would be appropriate to pass the following order :

i) The Company Petition is dismissed for want of prosecution;

ii) In the event that any of the Petitioner is interested in pursuing the proceedings arising out of the Company Petition, the learned advocate shall within a period of two weeks inform the Company Registrar and take steps within a period of four weeks thereafter for reconstructing the record. In that event, the Company Registrar shall place the Petition before the Court for further directions;

iii) In the event that the Respondent company has already been wound up, the Petitioner would be at liberty to pursue its claims in liquidation.

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